

PATENT Customer No. 22,852 Attorney Docket No. **6832.0018** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Craig A. ROSEN et al.	) Group Art Unit: 1631
Application No.: 09/833,245	) Examiner: Michael L. Borin
Filed: April 12, 2001	)
For: ALBUMIN FUSION PROTEINS	) Confirmation No.: 3724
	J

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of English translations and as a concise statement of relevance for each,
English language Derwent abstracts of the following non-English patent documents are
enclosed:

WO 03/003971

WO 92/01055

WO 91/05052

An English-language patent equivalent has been submitted for each of the following non-English patent documents:

WO 82/02715 (equivalent to EP 0 070 906 A1).

WO 98/47489 A1 (equivalent to AU 741964 B2)

WO 99/28346 A1(equivalent to CA 2309810 A1)

EP 0 106 179 B1 (equivalent to US 4,490,289)

EP 0 347 781 B1 (equivalent to CA 1341211)

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

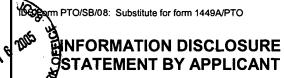
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: February 16, 2005

By: Charles E. Van Horn Reg. No. 40,266



(Use as many sheets as necessary)

Complete if Known					
Application Number 09/833,245					
Filing Date	April 12, 2001				
First Named Inventor Craig A. Rosen et al.					
Art Unit 1631					
Examiner Name Michael L. Borin					
Attorney Docket Number 6832.0018					

	U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS							
Examiner Initials	Cite No.	Document Number  Number-Kind Code (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
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		US-5,272,070	12/21/1993	Lehrman et al.				
	_	US-5,395,922	03/07/1995	Bjørn et al.				
		US-5,409,815	04/25/1995	Nakagawa et al.				
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Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

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7		/0	VAF NO	28		
IDS Form PTO/S	3/08: Substitute for for	m 1449A/P(TO	FEB 1 6 2005	3015	omplete if Known	
		₩.	•	Application Number	09/833,245	
INFO	DRMATION D	ISCLOSU	RE a	Filing Date	April 12, 2001	
STA	TEMENT BY	APPI ICA	AFTER DEMA	First Named Inventor	Craig A. Rosen et al.	
317	ILINEITI DI	AFFEIGA	HALL	Art Unit	1631	
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Sheet	2	of	4	Attorney Docket Number	6832.0018	

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Examiner Initials	Cite No.	Foreign Patent Document  Country Code Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation				
		EP 0 201 239 B1	10/18/1989	Delta Biotechnology Limited						
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Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.						
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INFO	DRMATION D	DISCLOSŬ	RE- SW	Filing Date	April 12, 2001	
STA	TEMENT BY	APPLICA	NIT	First Named Inventor	Craig A. Rosen et al.	
317	ILMICIA! DI	AFFLICA	71.4 1	Art Unit	1631	
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INFO	ORMATION D	isckosti	RE 5	Filing Date	April 12, 2001
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				First Named Inventor	Craig A. Rosen et al.
017		<b>~</b>	NT TRADEMARKS	Art Unit	1631
	(Use as many sheets	as necessary)	HAUL	Examiner Name	Michael L. Borin
Sheet	4	of	4	Attorney Docket Number	6832.0018

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Examiner	Date	
Signature	Considered	

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IDS Form PTO/S	IDS Form PTO/SB/08: Substitute for form 1449A/PTO		FEB 1 6 TO	CE	omplete if Known	
			<b>E</b>	Application Number	09/833,245	
SUPPLEMENTAL INFORMATION TRADE				Viling Date	April 12, 2001	
				First Named Inventor	Craig A. Rosen et al.	
CTAT			T (4)	Art Unit	1631	
STATEMENT BY APPLICANT (1)				Examiner Name	Michael L. Borin	
	(Use as many sheets	as necessary)				
Sheet	1	of	19	Attorney Docket Number	6832.0018	

		U.S. PATENTS	AND PUBLISHE	D U.S. PATENT APPLICAT	<del></del>
xaminer Initials	Cite No.	Document Number  Number-Kind Code (if known)	Issue or Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
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		US-4,283,489	08/11/1981	Goodman et al.	
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Examiner	 Date	
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	LEMENTAL II DISCLOS	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	EB	Application Number	09/833,245	
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	DISCLOS	IIDE V	CO TO A DEMAR	First Named Inventor	Craig A. Rosen et al.	"
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STATEMENT BY APPLICANT (1)				Examiner Name	Michael L. Borin	
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Sheet	2	of	19	Attorney Docket Number	6832.0018	_

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•	DISCLOS	SUPE	OF TRADEN	First Named Inventor	Craig A. Rosen et al.	
STATEMENT BY APPLICANT (1)				Art Unit	1631	
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Sheet	3	of	19	Attorney Docket Number	6832.0018	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
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		Number-Kind Code (if known)	MM-DD-YYYY		Figures Appear
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SUPF	LEMENTAL I	NFORMA	TION 🧬	Filing Date	April 12, 2001	
	DISCLOS	HIPF	& TRADES	First Named Inventor	Craig A. Rosen et al.	
				Art Unit	1631	
SIAI	EMENT BY A	PPLICAN	1 (1)	Examiner Name	Michael L. Borin	
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	DISCI OS	IIDE	& TRADEMI	First Named Inventor	Craig A. Rosen et al.	
				Art Unit	1631	
SIAI	EMENT BY A	PPLICAN	1 (1)	Examiner Name	Michael L. Borin	
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SUPP	LEMENTAL II	NFORMA	TION CAP	Filing Date	April 12, 2001	
	DISCLOS	IIPE	& TBAD	First Named Inventor	Craig A. Rosen et al.	
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SIAI	EMENT BY A	PPLICAN	(1)	Examiner Name	Michael L. Borin	
	(Use as many sheets a	as necessary)				
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Art Unit   1631	
STATEMENT BY APPLICANT (1)  Examiner Name  Michael L. Borin	
(Use as many sheets as necessary)	
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SUPPL	EMENTAL II	NFORMA <sup>Y</sup>	TROMADEM	Filing Date	April 12, 2001	
	DISCLOS	LIRE		First Named Inventor	Craig A. Rosen et al.	
CTATE			T (4)	Art Unit	1631	
SIAIE	MENT BY A	PPLICAN	1 (1)	Examiner Name	Michael L. Borin	
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	DISCLOS	LIPE	THE	First Named Inventor	Craig A. Rosen et al.	
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CTAT	DISCLOS EMENT BY A		PADEME	Art Unit	1631
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Sheet	11	of	19	Attorney Docket Number	6832.0018

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